

REMARKS

Claim 35 has been previously cancelled.

Rejection Under 35 U.S.C. § 102

The Office Action has rejected claims 1, 3, 7, 8, 17, and 18 under 35 U.S.C. 102(b) as being anticipated by Spence (U.S. Patent No. 5,333,069). This rejection is respectfully traversed.

Referring to paragraph 3 of the Office Action there appears to a misunderstanding of what is claimed in independent claims 1, 17, and 18. The first limitation in the claims that color data (including at least halftone data comparable to a halftone for a target printing press) was produced using a first halftoning technique, e.g. AM halftone. In contrast Spence discloses a printing press 168 and a proofer 147 using the same halftone data 120. Comments that “The off-press printing system performs a first halftoning technique based on ...column 13, lines 22-25 of Spence). are not quite right but are moot. Lines 35-39 indicate that halftone data 120 is produced outside the scope of the system.

The second limitation of claim 1 claims performing a second halftoning operation (e.g. FM screen) on either the original contone data or more practically on the first (e.g. AM) halftone data. The Office Action equates production of printing plates 130 as a second halftoning operation. This is not correct. One skilled in the art would realize that plates 130 are formed from halftone data 120 by an imaging process (e.g. by a Computer To Plate machine). Plates are inherently halftone printing media since they can only record a binary ink value (i.e. present or not present) at a pixel location.

With respect to the third limitation of claim 1, the result of the two halftoning techniques substantially preserves the (AM) halftone dot size of the first halftone so that the screen will reasonably predict on-press moiré. However, the interior of the dot can be altered (e.g. by turning off pixels or adding different colored pixels in the corresponding positions of other color planes) so that the perceived color of the proof matches the perceived color of the press print (produced using only the first halftone).

The Office Action cites Spence column 13, lines 22-25 which discloses creating a proof from either contone proofer 143 or halftone proofer

147. In the case of proofer 143, no halftone data is used and proof 153 is not a halftone proof. So it cannot preserve the size of the target halftone dot and predict moiré. In the case of proofer 147, the target halftone proof 157 is produced using the original halftone data 120 which is the same halftone data used by the press 168. So it can predict moiré but it will not be a color match.

The Office Action also cites column 16, lines 14-20 which discloses the use of color matching between a press and the contone proofer 143 using color profiling of each device. In the case of proofer 143, this can create a color match but since it is not a halftone proof it will not match halftone dot size. In the case of proofer 147, the citation does not apply since the proofer operates on halftone data 120 which cannot be subjected to color profiling since color profiling involves changing one set of contone color coordinates into a different set of contone color coordinates.

Rejection Under 35 U.S.C. § 103

The Office Action has rejected claims 2, 4, 10, 12, 13, and 15 under 35 U.S.C. 103(a) as being unpatentable over Spence (U.S. Patent No. 5,333,069) in view of Vinck (U.S. Patent No. 5,953,988). This rejection is respectfully traversed.

The Office Action has rejected claims 5 and 6 under 35 U.S.C. 103(a) as being unpatentable over Spence (U.S. Patent No. 5,333,069) in view of Vinck (U.S. Patent No. 5,953,988) and Gondek (U.S. Patent No. 5,949,965). This rejection is respectfully traversed.

The Office Action has rejected claims 9, 11, 14, 19-26, 28, 29, 31-34, and 36-41 under 35 U.S.C. as being unpatentable over Spence (U.S. Patent No. 5,333,069) in view of Rylander (U.S. Patent No. 5,602,572). This rejection is respectfully traversed.

The Office Action has rejected claim 16 under 35 U.S.C. 103(a) as being unpatentable over Spence (U.S. Patent No. 5,333,069) in view of Caruthers (U.S. Patent No. 5,899,605). This rejection is respectfully traversed.

The Office Action has rejected claim 27 under 35 U.S.C. 103(a) as being unpatentable over Spence (U.S. Patent No. 5,333,069) in view of Rylander (U.S. Patent No. 5,602,572) and obvious engineering design choice.

The Office Action has rejected claim 30 under 35 U.S.C. 103(a) as

being unpatentable over Spence (U.S. Patent No. 5,333,069) in view of Rylander (U.S. Patent No. 5,602,572) and Vinck (U.S. 5,953,988). This rejection is respectfully traversed.

The Office Action has rejected claim 42 under 35 U.S.C. 103(a) as being unpatentable over Spence (U.S. 5,333,069) in view of obvious engineering design choice.

The comments above, which distinguish the present invention from Spence also pertain to the rejection under 35 U.S.C. 103. Therefore, Spence in combination with the other references cited fail to show all the limitations of the claims of the present invention.

CONCLUSION

Dependent claims not specifically addressed add additional limitations to the independent claims, which have been distinguished from the prior art and are therefore also patentable.

In conclusion, none of the prior art cited by the Office Action discloses the limitations of the claims of the present invention, either individually or in combination. Therefore, it is believed that the claims are allowable.

If the Examiner is of the opinion that additional modifications to the claims are necessary to place the application in condition for allowance, he is invited to contact Applicant's attorney at the number listed below for a telephone interview and Examiner's amendment.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.